

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

EDDIE E. ABRAM,

Plaintiff,

vs.

LARRY SOHLER, 2 East Unit Manager,  
Individual Capacity; LEON CHATHAM,  
Security Specialist 2, Individual Capacity;  
MICHELLE SULLIVAN, Security Specialist 2,  
Individual Capacity; STEPHANIE BEASLEY,  
Security Specialist 2, Individual Capacity;  
HUNTER LEWIS, Response Team, Individual  
Capacity; and KOLTON NEUHAUS, Response  
Team, Individual Capacity;

Defendants.

**8:22CV152**

**ORDER**

Plaintiff, pro se, is a civilly committed patient at Norfolk Regional Center (NRC) and has filed this action for claimed violations of his constitutional rights arising out of his allegations he was forcibly restrained and injected with an unknown substance. On January 9, 2023, Plaintiff filed a “Discovery Motion” or “Motion to Compel Discovery Material” with the Court. (Filing No. 37). In this filing, Plaintiff requests discovery material “in order to identify defendants[’] specific participation in the incident of unlawful conduct related to this claim[.]” Plaintiff requests disclosure of things such as “camera video footage of the incident capturing the incident,” the “name of the authorizing physician [sic] and the medical order authorizing forced administration of psychotropic drugs,” “staff and patient witness reports who witnessed the incidents,” NRC’s “seclusion and restraints policies,” among other items.

Plaintiff captioned his filing as a “Motion to Compel” and states it is brought pursuant to “Fed. R. Civ. P. 16 through 37.” However, after review, the Court construes Plaintiff’s filing as his interrogatories and/or requests for production of documents under Rules 33 and 34 of the Federal Rules of Civil Procedure directed to Defendants. Defendants are directed to respond to Plaintiff under Rules 33 and 34 accordingly. To the extent Plaintiff is asking for a court order compelling Defendants’ compliance, such motion is premature based upon the record before the Court. Upon consideration,

**IT IS ORDERED:** Plaintiff's "Motion to Compel Discovery Material" (Filing No. 37) is denied, without prejudice. Defendants are directed to respond to Plaintiff's requests contained in Filing No. 37 under Federal Rules of Civil Procedure 33 and 34 as appropriate.

Dated this 24<sup>th</sup> day of January, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge